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REMARKS

Claims 1-14 are pending in the present Application. Claims 7-14 have been canceled, Claims 1, 3, and 4 have been amended, and Claims 15-26 have been added, leaving Claims 1-6 and 15-26 for consideration upon entry of the present Amendment.

With regards to Claims 1, 3, and 4, the claims have been amended merely to provide consistency in the style of claiming. More particularly, "the" in Claims 1 and 3 has been deleted, and "the" in Claim 4 has been amended to "said".

Support for new Claims 15-24 can at least be found in the specification at page 5, lines 7-22 and at page 8, lines 2-19.

The Specification has been amended to correct certain typographical errors, as explained in detail below. No new matter has been introduced by these amendments. Reconsideration and allowance of the claims are respectfully requested in view of the above amendments and the following remarks.

Election/Restriction

Applicants hereby cancel Claims 7-14 without prejudice to Applicants' rights thereto, including Applicants' right to file a divisional application thereon.

Drawings

The drawings are objected to as allegedly failing to comply with 37 CFR 1.84(p)(5) because "they do not include the following reference sign(s) mentioned in the description: '10' (Page 7, line 13)." (O.A., page 2).

Applicants have co-submitted with this Amendment a formal set of drawings that corrects this informality noted by the Examiner. More particularly, reference numeral 10, which is discussed in the specification, is now illustrated in Figure 1. Accordingly, Applicants respectfully request withdrawal of the objection to the drawings.

Specification

In reviewing the specification as requested by the Examiner, Applicants noted that the unit of measure "mils" was misspelled throughout the application as "mills". Applicants have

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amended the specification to correct this misspelling. Furthermore, on page 6, line 8 Applicants corrected the typographical error for the maximum service temperature. More particularly, "1,0°C" has been amended to "1,000°C". Support for this amendment can at least be found in the specification at page 3, line 23.

Additionally, Applicants have amended the "Brief Description of the Drawings" (Page 3 lines 3-5) such that the sentence reads more clearly.

Claim Rejections Under 35 U.S.C. § 102(b)

Claims 1-2 stand rejected under 35 U.S.C. § 102(b), as allegedly anticipated by JP 11-090226 (Figure 1; Abstract), hereinafter referred to as "JP '226". Applicants respectfully traverse this rejection.

To anticipate a claim, a reference must disclose each and every element of the claim. *Lewmar Marine v. Varient Inc.*, 3 U.S.P.Q.2d 1766 (Fed. Cir. 1987).

First, Applicants have co-filed with this Amendment an information disclosure statement of a machine translation of the abstract, claims, and detailed description of JP '226 for the Examiner's convenience and consideration. It is noted that the following discussion is based on that machine translation of the abstract, claims, and detailed description of JP '226, and not the Derwent Abstract provided by the Examiner.

JP '226 at least fails to teach a catalyst substrate material comprising, *inter alia*, zirconium phosphate. Rather, JP '226 teaches that a hydrocarbon adsorbent used in treating exhaust from an internal combustion engine contains zirconium silicophosphate. (Abstract). Absent in at least the abstract of JP '226 is any teaching of zirconium phosphate. Furthermore, it is noted that zirconium silicophosphate and zirconium phosphate are each different chemical compounds, each having different physical properties (e.g., zirconium phosphate generally comprises a coefficient of thermal expansion that is greater than that of zirconium phosphate). Since anticipation requires all elements of a claim to be present in a single reference, JP '226 does not teach, either expressly or inherently, a catalyst substrate comprising, *inter alia*, zirconium phosphate. Since JP '226 at least fails to teach a catalyst substrate material comprising zirconium phosphate, JP '226 fails to teach each and every element of Applicants' independent Claim 1. As such, JP '226 does not anticipate

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Applicants' independent Claim 1. Moreover, as a dependent claim from an allowable independent claim, Claim 2 is allowable.

Claim Rejections Under 35 U.S.C. § 103(a)

Claims 3-6 stand rejected under 35 U.S.C. § 103(a), as allegedly unpatentable over JP '226 (Figure 1; Abstract) in view of U.S. Patent No. 5,447,694 to Swaroop et al. and U.S. Patent No. 5,116,581 to Cyron et al. Applicants respectfully traverse this rejection.

For an obviousness rejection to be proper, the Examiner must meet the burden of establishing a *prima facie* case of obviousness, i.e., that all elements of the invention are disclosed in the prior art; that the prior art relied upon, coupled with knowledge generally available in the art at the time of the invention, contain some suggestion or incentive that would have motivated the skilled artisan to modify a reference or combined references; and that the proposed modification of the prior art had a reasonable expectation of success, determined from the vantage point of the skilled artisan at the time the invention was made. *In re Fine*, 5 U.S.P.Q.2d 1596, 1598 (Fed. Cir. 1988); *In Re Wilson*, 165 U.S.P.Q. 494, 496 (C.C.P.A. 1970); *Amgen v. Chugai Pharmaceuticals Co.*, 927 U.S.P.Q.2d, 1016, 1023 (Fed. Cir. 1996).

Applicants respectfully direct the Examiner's attention to the above discussion of JP '226. Applicants respectfully submit that JP '226 fails to teach all of the elements that the Examiner had relied upon it for teaching. More particularly, JP '226 at least fails to teach or suggest a catalyst substrate comprising zirconium phosphate. Rather, JP '226 teaches that a hydrocarbon adsorbent used in treating exhaust from an internal combustion engine contains zirconium silicophosphate. (Abstract). Furthermore, it is noted that the Examiner relied upon Swaroop et al. and Cyron et al. primarily for teaching a mat support material between the substrate and the shell. (O.A., page 5). In other words, the Examiner relied upon JP '226 for teaching a catalyst substrate comprising, *inter alia*, zirconium phosphate.

However, as noted above JP '226 fails to teach or suggest a catalyst substrate comprising zirconium phosphate. It is further noted that Swaroop et al. and Cyron et al. fail to cure the deficiencies of JP '226. In other words, JP '226, either alone or in combination with Swaroop et al. and Cyron et al., fails to teach or suggest a catalyst substrate comprising

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zirconium phosphate. Since the above cited references, either alone or in combination, fail to teach or suggest a catalyst substrate comprising zirconium phosphate, the Examiner has not established a *prima facie* case of obviousness. Accordingly, Applicants respectfully submit that independent Claim 3 is allowable over the above cited art. Moreover, as dependent claims from an allowable independent claim, Claims 4-6, are, by definition, also allowable.

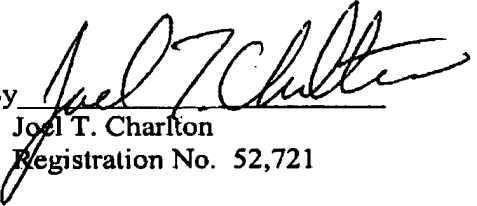
It is believed that the foregoing amendments and remarks fully comply with the Office Action and that the claims herein should now be allowable to Applicants. Accordingly, reconsideration and allowance are requested.

If there are any additional charges with respect to this Amendment or otherwise, please charge them to Deposit Account No. 06-1130.

Respectfully submitted,

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